

[District Procedure for Motion to Redact Previously Filed Document \(effective 12/1/2019\)](#)

Revised: Monday, December 2, 2019

**UNITED STATES BANKRUPTCY COURT
Northern District of California**

District Procedure for Motion to Redact Previously Filed Document (effective 12/1/2019)

Federal Rule of Bankruptcy Procedure 9037(a) lists certain personal identifying information (also known as personal data identifiers) subject to redaction from documents filed with the Court.

Pursuant to Bankruptcy Rule 9037(h), and in accordance with the following, unless the Court orders otherwise a party seeking to redact or limit public access to such personal identifying information contained on a ***previously filed*** document (including a proof of claim) must file a *Motion to Redact Previously Filed Document*, along with all attachments and supporting documents.

Pending the Court's determination on the *Motion to Redact Previously Filed Document*, in accordance with Bankruptcy Rule 9037(h)(2) public access to the *Motion* and the previously filed unredacted document is restricted.

Contents of the *Motion* and Attachments:

A *Motion to Redact Previously Filed Document* must:

- Identify the proposed redactions,
- State the docket number(s) or proof of claim number(s) (as applicable) of the previously filed unredacted document(s), and
- Include as an attachment a proposed redacted version of the document(s) or proofs of claim. Except for the redactions, this redacted version must otherwise be identical to the previously filed unredacted document(s) or proofs of claim.

Service of the *Motion*:

The moving party must serve a copy of the *Motion to Redact Previously Filed Document* with all attachments and supporting documents to each of the following who are not the moving party:

- Debtor(s)
- Debtor's attorney (if any)
- Trustee (if any)
- United States Trustee

- The filer of the unredacted document, and
- Any individual whose personal identifying information is to be redacted.

A certificate of service **by mail** of the *Motion to Redact Previously Filed Document* and of all attachments and supporting documents must be filed. Service may not be made via the ECF system.

ECF Filers:

- File the *Motion to Redact Previously Filed Document*, attachments and supporting documents by using the ECF event “Redact Previously Filed Document” located under Bankruptcy Events > Motions/Applications or under Adversary Events > Motions, as applicable.
- **DO NOT** use any other ECF event to file a *Motion to Redact Previously Filed Document*.
- When using this ECF event,
 - ▶ At the screen prompt to “Browse,” upload the *Motion to Redact Previously Filed Document*, then select “Yes” to attach a proposed redacted version of the document(s) and proofs of claim.
 - ▶ If redacting a previously filed proof of claim docketed on the Claims Register, at the screen prompt “Is this a motion to redact a proof of claim?” select “Yes” then “Next” and then select the previously filed unredacted proof(s) of claim in need of redaction.
 - ▶ If redacting a previously filed document on file in a case or adversary proceeding docket, at the screen prompt “Refer to existing event(s)?”, check the box, click “Next” and then select the previously filed unredacted document(s) in need of redaction.
- Upload a completed proposed *Order Granting Motion to Redact Previously Filed Document*, in accordance with the form of order attached below.

Non-ECF Filers:

- File the *Motion to Redact Previously Filed Document*, along with all attachments and supporting documents, in paper form at the intake counter or by mail with the Clerk of Court divisional office where the bankruptcy case or adversary proceeding is filed.
- Provide the Clerk with a completed proposed *Order Granting Motion to Redact Previously Filed Document*, in paper form, in accordance with the form of order attached below.

United States Bankruptcy Court
450 Golden Gate Avenue, 18th Floor
Mail Box 36099
San Francisco, California 94102

1300 Clay Street, Suite 300
Oakland, California 94612

San Jose

United States Bankruptcy Court
280 South First Street, Room 3035
San Jose, California 95113

Santa Rosa

United States Bankruptcy Court
99 South "E" Street
Santa Rosa, California 95404

**Hearings, Fees, Multiple Unredacted Documents, Replacement of
Unredacted Documents**

- Unless the Court orders otherwise, a *Motion to Redact Previously Filed Document* is not set for a hearing.
- **All OPENED and CLOSED cases:** At filing, a fee is due for each *Motion to Redact Previously Filed Document*. Upon application, the Court may waive this fee under appropriate circumstances. Information concerning Court fees is available at this link: <http://www.canb.uscourts.gov/court-info/fees>.
- **CLOSED cases:** When filing a *Motion to Redact Previously Filed Document* in a closed case, a motion to reopen the closed case IS NOT required; therefore, a case reopening fee is not necessary.
- A *Motion to Redact Previously Filed Document* filed in a bankruptcy case or adversary proceeding may request redaction of one or multiple unredacted documents (including proofs of claim) on file in that **same case or proceeding**.
- A *Motion to Redact Previously Filed Document* filed in a bankruptcy case or adversary proceeding may not request redaction of unredacted documents (including proofs of claim) on file in any other case or proceeding.
- Within ten days after an *Order Granting Motion to Redact Previously Filed Document* is entered, in accordance with such *Order* a properly redacted replacement document shall be uploaded to ECF (ECF Filer) or provided to the Clerk in paper form (Non-ECF Filer). The Court will not redact information. The responsibility to redact documents rest with counsel, parties and others who make filings with the Court.

Additional information concerning document redaction is available in the FAQ section at this link: <http://www.canb.uscourts.gov/faq/redacted-documents>.

[Order Granting Motion to Redact Previously Filed Document](#)
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